

# EXHIBIT 1

**James Baker**

---

**From:** James Baker  
**Sent:** Thursday, June 24, 2010 7:25 PM  
**To:** 'Rhoads, Donald L.'  
**Cc:** Andrew Berdon; Blumenfeld, Jack; Loudon, Karen Jacobs  
**Subject:** RE: Medicis Pharmaceutical v. Nycomed, Civil Action No. 10-CV-419 (D. Del.)  
**Attachments:** document.pdf

Don,

We sent the Notice of Lawsuit and Request for Waiver for Nycomed GmbH to its business address in Germany. Attached is a courtesy copy of those materials.

With respect to the New York action, the mere pendency of the lawsuit cannot cause any unnecessary expense or harm to Nycomed. The complaint has not yet been served. Thus, Nycomed is under no obligation to take any action at this time. Nevertheless, Medicis will consider withdrawing the New York complaint if Nycomed will agree to consent to jurisdiction in Delaware. Please let us know if you would like to discuss this issue further.

Best regards,  
Jim

---

**From:** Rhoads, Donald L. [mailto:DRhoads@KRAMERLEVIN.com]  
**Sent:** Monday, June 07, 2010 11:46 AM  
**To:** James Baker  
**Cc:** Andrew Berdon; Blumenfeld, Jack; Loudon, Karen Jacobs  
**Subject:** RE: Medicis Pharmaceutical v. Nycomed, Civil Action No. 10-CV-419 (D. Del.)

Counsel:

We received your FedEx package. Please be aware that Kramer Levin has neither been retained nor does it represent Nycomed GmbH. Therefore, we cannot comment or respond on their behalf.

Because of traveling obligations, we have not yet been able to discuss the package with Nycomed US Inc. but hope to do so shortly.

We again ask that you dismiss one of the suits you have filed in New York or Delaware. Your continued maintenance of both suits leads to unnecessary expense and harm.

Regards,  
Don

Donald L. Rhoads

Partner  
Kramer Levin Naftalis & Frankel LLP  
1177 Avenue of the Americas  
New York, New York 10036  
Tel: 212-715-9207  
Fax: 212-715-8000  
Email: [DRhoads@KRAMERLEVIN.com](mailto:DRhoads@KRAMERLEVIN.com)  
<http://www.kramerlevin.com>

This communication (including any attachments) is intended solely for the recipient(s) named above and may contain information that is confidential, privileged or legally protected. Any unauthorized use or dissemination of this communication is strictly prohibited. If you have received this communication in error, please immediately notify the sender by return e-mail message and delete all copies of the original communication. Thank you for your cooperation.

---

**From:** James Baker [mailto:JamesBaker@QuinnEmanuel.com]  
**Sent:** Friday, June 04, 2010 3:44 PM  
**To:** Rhoads, Donald L.  
**Cc:** Andrew Berdon; Blumenfeld, Jack; 'Louden, Karen Jacobs'  
**Subject:** Medicis Pharmaceutical v. Nycomed, Civil Action No. 10-CV-419 (D. Del.)

Dear Don,

We are sending you by FedEx Notices of Lawsuit and Requests for Waiver of Service for Defendants in the above-captioned action. Attached is a courtesy copy of those materials. Please feel free to contact us if you have any questions.

Best regards,

Jim

**James Baker**  
*Associate,*  
**Quinn Emanuel Urquhart & Sullivan, LLP**

51 Madison Avenue, 22nd Floor  
New York, NY 10010  
212-849-7114 Direct  
212.849.7000 Main Office Number  
212.849.7100 FAX  
[JamesBaker@QuinnEmanuel.com](mailto:JamesBaker@QuinnEmanuel.com)  
[www.quinnemanuel.com](http://www.quinnemanuel.com)

NOTICE: The information contained in this e-mail message is intended only for the personal and confidential use of the recipient(s) named above. This message may be an attorney-client communication and/or work product and as such is privileged and confidential. If the reader of this message is not the intended recipient or agent responsible for delivering it to the intended recipient, you are hereby notified that you have received this document in error and that any review, dissemination, distribution, or copying of this message is strictly prohibited. If you have received this communication in error, please notify us immediately by e-mail, and delete the original message.